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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3
4 UNITED STATES OF AMERICA,)
5 Plaintiff,) Case No. 2:20-cr-00018-JCM-EJY
6 vs.) Las Vegas, Nevada
7 FRANCISCO JAVIER MARES,) Wednesday, August 18, 2021
8 Defendant.) Courtroom 3D
9) Initial Appearance Regarding
10) Revocation of Supervised
11) Release
12)
13) **C E R T I F I E D C O P Y**
14)

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17 TRANSCRIPT OF PROCEEDINGS

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19 BEFORE THE HONORABLE CAM FERENBACH,
20 UNITED STATES MAGISTRATE JUDGE

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22 APPEARANCES: See next page

23
24 DIGITALLY RECORDED: Liberty Court Recorder (LCR)
2:39 p.m. - 2:43 p.m.

25 RECORDED BY: T. Renfro

TRANSCRIBED BY: Samantha N. McNett
Samantha_McNett@nvd.uscourts.gov

Proceedings recorded by electronic sound recording; transcript
produced by machine shorthand and computer-aided transcription.

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1 APPEARANCES:

2 For the Plaintiff:

3 **ALLISON REESE, ESQ.**
4 UNITED STATES ATTORNEY'S OFFICE
5 501 Las Vegas Boulevard South, Suite 1100
6 Las Vegas, Nevada 89101
7 702-388-6336

8 For the Defendant:

9 **ADAM GILL, ESQ.**
10 AISEN GILL & ASSOCIATES
11 723 South Third Street
12 Las Vegas, Nevada 89101
13 702-750-1590

14 Also Present:

15 Emily McKillip, Pretrial Services Officer

16 * * *

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1 LAS VEGAS, NEVADA; WEDNESDAY, AUGUST 18, 2021; 2:39 P.M.

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3 P R O C E E D I N G S

4 THE COURTROOM ADMINISTRATOR: This is the time set for
5 initial appearance in case 2:20-cr-18-JCM-EJY, United States of
6 America versus Francisco Javier Mares.

7 Counsel, please enter your appearance for the record
8 beginning with the Government.

9 MS. REESE: Good afternoon, your Honor. Allison Reese
10 for the United States.

11 THE COURT: Afternoon, Ms. Reese.

12 MR. GILL: Good afternoon, your Honor. Adam Gill on
13 behalf of Mr. Mares. He's present with me, your Honor, at
14 liberty.

15 THE COURT: Thank you, Mr. Gill. Mr. Mares, hello.
16 Okay. So let me get set up here.

17 Mr. Gill, will you and your client please stand?

18 Is your true name Francisco Javier Mares?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: All right. How old are you, sir?

21 THE DEFENDANT: I am 40.

22 THE COURT: And how far did you go in school?

23 THE DEFENDANT: I finished high school.

24 THE COURT: All right. So you've been charged in a
25 petition for (unintelligible) conditions of pretrial release

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1 that allege, essentially -- there's one charge that you
2 violated the first condition of the -- of the -- of your bond
3 by your -- being arrested by Metro for domestic battery.

4 Have you reviewed those allegations against you?

5 THE DEFENDANT: Yes.

6 THE COURT: Okay. You're not required to make any
7 statement about those charges either here in court or to any
8 law enforcement officer. Anything you do say can be used
9 against you.

10 You have a right to a hearing before the Court as to
11 whether your pretrial release should be revoked. At the time
12 of that hearing, the Government will be required to demonstrate
13 you violated the terms of your pretrial release. At that
14 hearing, you have the right, if you choose, to testify in
15 defense of the charges contained in the petition but you can't
16 be required to testify if you choose not to do so. You also
17 have the right to cross-examine witnesses against you, call
18 witnesses on your own behalf.

19 You have the right to assistance of counsel at all
20 stages of these proceedings. If you cannot afford a lawyer,
21 the Court will appoint a lawyer for you at the public's
22 expense.

23 Do you understand these rights?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: And Mr. Gill has already been appointed as

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1 your attorney, correct?

2 MR. GILL: Correct.

3 THE COURT: Great. Great. Did have you a chance to
4 speak to Mr. Gill regarding what you're charged with?

5 THE DEFENDANT: Yes.

6 THE COURT: Do you understand the nature of those
7 charges and the purpose of today's hearing?

8 THE DEFENDANT: I do.

9 THE COURT: Okay. Great. Mr. Gill, do you have any
10 reason to question the competence of your client to understand
11 the charges against him and to assist in his defense?

12 MR. GILL: No, your Honor.

13 THE COURT: All right. So Ms. Reese, what's the
14 Government's position on prehearing release?

15 MS. REESE: Your Honor, the Government concurs with
16 pretrial services and is not seeking detention at this time.

17 THE COURT: Okay. Well, that's good.

18 So we're just going to -- you'll continue on your same
19 conditions as pretrial release, but you're required to attend
20 the revocation hearing which is actually quite a ways out here,
21 October 27, 2021 at 11:00 a.m., and --

22 MR. GILL: I'm sorry, Your Honor. You said 11:00
23 a.m.?

24 THE COURT: Yes, 11:00 a.m. --

25 MR. GILL: Thank you.

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1 THE COURT: -- on October 27th. And that being in
2 courtroom -- let's see -- why does this say -- oh, courtroom
3 6A. Oh, it's also the sentencing date.

4 So does that mean Judge Mahan's going to handle it?

5 THE COURTROOM ADMINISTRATOR: Yes, (unintelligible).

6 THE COURT: Oh, I see. Okay. Usually Judge Youchah,
7 the magistrate judge, would handle pretrial release violation,
8 but I guess --

9 MR. GILL: We did file, your Honor, a stipulation to
10 continue the sentencing date approximately 30 days and you must
11 have received that date --

12 THE COURT: Okay.

13 MR. GILL: -- while I've been in court all day.

14 THE COURT: So I guess that's the way this one's going
15 to be handled. Okay. Well, then that's efficient.

16 MR. GILL: Thank you, your Honor.

17 THE COURT: All right. So you're continued on the
18 same bond (unintelligible).

19 MR. GILL: Thank you very much, your Honor.

20 THE COURT: Thanks a lot.

21 (The proceedings concluded at 2:43 p.m.)

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COURT REPORTER'S CERTIFICATE

I, SAMANTHA N. MCNETT, Official Court Reporter, United States District Court, District of Nevada, Las Vegas, Nevada certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

Date: June 4, 2022

/s/ Samantha N. McNett
Samantha McNett, RPR, CRR, CCR